

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA  
HARRISBURG DIVISION**

---

  )

**THE PUBLIC INTEREST LEGAL            )**

**FOUNDATION,                            )**

  )

  )

  )

  )

*Plaintiff,*                               )

  )

  )

v.  )

  )

  )

  )

**KATHY BOOCKVAR, in her official            )**

**capacity as Acting Secretary of the            )**

**Commonwealth of Pennsylvania,                  )**

**JONATHAN M. MARKS, in his                  )**

**official capacity as Deputy Secretary          )**

**for Elections and Commissions, and          )**

**the BUREAU OF COMMISSIONS,                  )**

**ELECTIONS AND LEGISLATION,                  )**

  )

  )

*Defendants.*                               )

  )

---

**REPUBLICAN NATIONAL COMMITTEE'S BRIEF IN SUPPORT OF  
ITS MOTION FOR LEAVE TO FILE AN AMICUS BRIEF IN SUPPORT  
OF PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT**

Amicus Curiae Republican National Committee respectfully submits this brief in support of its motion for leave to file its amicus brief in support of Plaintiff the Public Interest Legal Foundation's Motion for Summary Judgment, setting forth its views concerning certain issues raised in Plaintiff Public Interest Legal Foundation's Motion for Summary Judgment.

Amicus curiae is a political committee that manages the Republican Party’s business at the national level, supports Republican candidates and state parties, coordinates fundraising and election strategy, and develops and promotes the national Republican party platform. The RNC has a vital interest in the law regarding disclosure of records under the National Voter Registration Act of 1993 (“NVRA”), 52 U.S.C. §§ 20501-20511, since such disclosures are critical to ensuring transparency and accountability in federal and state elections. The NVRA’s disclosure requirements are designed to ensure that states maintain accurate and current voter registration lists. Because the RNC organizes the Republican Party’s activities and supports Republican candidates in elections in Pennsylvania and across the country, it has a clear interest in ensuring clean voter rolls and free and fair elections. The issues in this case directly impact the RNC’s members, members’ constituents, campaigns, and their successors in office. Accordingly, the Court’s ruling has widespread implications for amicus curiae and its members.

“Although, there is no statute, rule or controlling case law regarding a district court’s power to accept the filing of amicus briefs, courts in this circuit have determined that it is a matter within the district court’s discretion.” *Behar v. Pennsylvania Dept. of Transp.*, 791 F. Supp. 2d 383, 389 n.1 (M.D. Pa. 2011) (Conner, J.); *Martinez v. Capital Cities/ABCWPVI*, 909 F. Supp. 283, 286 (E.D. Pa. 1995). The Third Circuit has stated that “permitting persons to appear in court

... as friends of the court ... may be advisable where third parties can contribute to [a] court's understanding." *Harris v. Pernsley*, 820 F. 2d 592, 603 (3d Cir. 1987).

A court may grant leave to appear as an amicus if the information offered is "timely and useful." *Waste Mgt. of Pa., Inc. v. City of York*, 162 F.R.D. 34, 36 (M.D. Pa. 1995) (citing *Yip v. Pagano*, 606 F. Supp. 1566, 1568 (D.N.J. 1985), *aff'd*, 782 F.2d 1033 (3d Cir. 1986)). This Court should permit the filing of the amicus brief because it will assist the Court in deciding the complex issues in this case. *See Sciotto v. Marple Newtown Sch. Dist.*, 70 F. Supp. 2d 553, 554 (E.D. Pa. 1999); *Waste Management*, 162 F.R.D. at 36.

The RNC's amicus brief provides helpful and timely legal analysis of several complex issues related to disclosure under the NVRA. This analysis will assist the Court and enhance the Court's understanding of these issues. In addition, this case raises public issues that will have wide-ranging and significant effects on third parties, including the RNC and its members. The RNC should be permitted to raise arguments and bring insights to assist the Court in resolving such difficult issues.

[Intentionally left blank]

For these reasons, the RNC respectfully seeks leave to file its amicus brief in this matter.

Dated: September 24, 2021

Respectfully submitted,

By: /s/ Harmeet K. Dhillon

Harmeet K. Dhillon (*pro hac vice*)  
Karin Sweigart  
DHILLON LAW GROUP INC.  
177 Post Street, Ste. 700  
San Francisco, CA 94108  
(415) 433-1700  
[harmeet@dhillonlaw.com](mailto:harmeet@dhillonlaw.com)  
[ksweigart@dhillonlaw.com](mailto:ksweigart@dhillonlaw.com)

*Counsel for Republican National Committee*

## CERTIFICATE OF COMPLIANCE

Pursuant to Local Rule 7.8(b)(2), I certify that this brief complies with the word count limit in Local Rule 7.8(b)(2) and contains 516 words.

Dated: September 24, 2021

/s/ Harmeet K. Dhillon  
Harmeet K. Dhillon (*pro hac vice*)  
*Counsel for Republican National  
Committee*

## CERTIFICATE OF SERVICE

I certify that on September 24, 2021, I electronically filed the foregoing brief with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel and parties of record.

Dated: September 24, 2021

/s/ Harmeet K. Dhillon  
Harmeet K. Dhillon (*pro hac vice*)  
*Counsel for Republican  
National Committee*